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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

⁹ UNITED STATES OF AMERICA,

NO. CR06-241 RSL

10 Plaintiff,

**ORDER CONTINUING
TRIAL DATE**

12 ANIBAL LEON-IZUNZA and
13 MICHELLE R. JOSS

Defendant.

16 This matter having come before the court upon defendant Anival Leon-Inzunza's
17 "Motion and Declaration to Continue Trial" (Docket #24). The government and defendant
18 Michelle R. Joss do not oppose this motion. Having reviewed the Motion and Declaration
and considered the Waiver of Speedy Trial Rights executed by Mr. Leon-Inzunza, the Court
finds that:

1. Defense counsel had questions regarding defendant Leon-Inzunza's competence to stand trial. The psychological examination found him competent. However, based on the results and findings of defendant's examination, defense counsel now requires additional time to prepare the defendant for trial and to provide an effective defense;
 2. Defendant Leon-Inzunza has filed a Waiver of Speedy Trial Rights (Docket #23) which he has waived his right to a speedy trial until December 24, 2006;
 3. The time period between the original trial date of September 18, 2006 and the trial date set herein is excludable under 18 USC § 3161 (h)(8)(A) that the ends of justice served by granting such continuance outweigh the best interest of the public and the defendant for a speedy trial. Failure to grant a continuance based upon the change of circumstances, the need for effective preparation, and the consent of counsel and defendants would deny defense counsel adequate time to prepare for trial;
 4. Defendant Michelle R. Joss shall file a speedy trial waiver with the Court within 10 days of the date of this Order.

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2 IT IS NOW, THEREFORE, ORDERED that the trial date of September 18, 2006 is
3 continued to December 4, 2006. Pretrial Motions shall be due no later than November 2,
4 2006.

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DATED this 12th day of September, 2006.

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Robert S. Lasnik

7 Robert S. Lasnik
8 United States District Judge

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